

## MINUTES OF A REGULAR MEETING

### BROOKLYN CITY COUNCIL

**June 27, 2005**

**7:00 p.m.**

The Mayor, Council and all in attendance recited the Pledge of Allegiance.

President Albier: "Would you call the roll Mr. Fisk?"

Clerk Fisk: "Kathy Pucci."  
"Rita Brown."  
"Colleen Gallagher."

Councilwoman Pucci: "Here."  
Councilwoman Brown: "Here."

President Albier: "Mrs. Gallagher is out of town."

Clerk Fisk: "Greg Frey."  
"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilman G. Frey: "Here."  
Councilman Coyne: "Here."  
Councilman J. Frey: "Here."  
Councilwoman Brown: "Here."

President Albier: "On tonight's agenda: we're going to have a Mayor's Proclamation; it says we're going to call for Council's authorization for a Construction Manager for the fire station and project labor agreements, and related items, and waiver request from the Brooklyn Animal Shelter; we also have a liquor permit; and we have Resolution 2005-7, the third reading, Adopting the Tax Budget for fiscal year 2006; Resolution 2005-10, Authorizing the Chief of the Brooklyn Police Department to apply to the Drug Abuse Resistance Education, commonly called DARE, Law Enforcement Grants Program for funds to be used for salaries for certified DARE officers teaching or planning to teach the approved DARE curriculum in the local schools and declaring an emergency; Ordinance 2005-6, also the third reading, To approve and adopt the Personnel Policy Manual of the City of Brooklyn, Ohio; Ordinance 2005-29, Providing for the submission to the electorate of amendments to the Municipal Charter; Ordinance 2005-30, To approve current replacement pages to the Brooklyn Codified Ordinances and declaring an emergency; and other matters that may come before Council. I now need a motion for the regular Council meeting from June 13<sup>th</sup>."

Councilwoman Pucci: "Move to approve."

Councilman Coyne: "Second."

Clerk Fisk: "To approve the minutes from June 13<sup>th</sup>, Kathy Pucci."

"Rita Brown."  
"Greg Frey."  
"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Brown: "Yea."  
Councilman G. Frey: "Abstain."  
Councilman Coyne: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "We now have minutes of the Committee of the Whole, I need a motion to adopt."

Councilman Coyne: "So move."

Councilwoman Pucci: "Mr. Albier, may I be recognized?"

President Albier: "Yes Mrs. Pucci."

Councilwoman Pucci: "There's a minor correction on page nine, the fifth paragraph, under Mrs. Gallagher's remarks, it's on the second line towards the beginning. I believe the name of the person who she was referring to, I think it should be Trafis instead of Trapas. I think that's the proper name. I move we approve as amended."

Councilwoman Brown: "Second."

Clerk Fisk: "To approve the Committee of the Whole minutes from June 20<sup>th</sup>, as amended, Kathy Pucci."

"Rita Brown."  
"Greg Frey."  
"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Brown: "Yea."  
Councilman G. Frey: "Abstain."  
Councilman Coyne: "Yea."  
Councilman J. Frey: "Abstain."  
Councilman Albier: "Yea."

President Albier: "We're now going to jump, just one thing out of order. The Mayor has a proclamation. I'm going to let him present it at this point."

Mayor Patton: "I'll read the first paragraph, and then we're going to listen to a tape recording of a 9-1-1 call. This Proclamation is to honor and recognize Miss Kelsey Fulk on her heroic 9-1-1 call. Whereas, Kelsey Fulk is five years old and is being recognized for calling 9-1-1 to report a fire at her grandmother's house. I'll interrupt here and we'll listen to the tape."

(9-1-1 tape. Dispatch: "9-1-1, what's your emergency?" Kelsey: "My grandma's basement caught on fire." Disp: "Your grandma's basement?" Kelsey: "Yeah, it caught on fire because she went... It caught on fire by accident." Disp: "Okay, where is your grandmother?" Kelsey: "She's down in the basement." Disp: "She's down in the basement?" Kelsey: "Grandma!" Disp: "How old are you?" Grandmother: "Who is it?" Kelsey: "It's 9-1-1." Grandmother: "Hello?" Disp: "Yeah, you have a fire?" Grandmother: "We did." Disp: "You did?" Grandmother: "Yeah, we just put it out with a fire extinguisher." Disp: "Okay, I'm going to send the Fire Department anyway." Grandmother: "Okay." Disp: "Okay?" Grandmother: "Alright." Disp: "Thanks." Grandmother: "Yeah, hold on." Mother: "Who is it?" Grandmother: "It's the Fire Department." Mother: "Yes?" Disp: "Yes, this is 9-1-1, I'm sending the Fire Department." Mother: "Yeah, my dryer caught fire, I didn't quite have it out..." Disp: "Okay, I will send them to check, okay?" Mother: "Yeah, please." Disp: "Okay." Mother: "Thank you. Bye." Disp: "Okay, bye.")

Mayor Patton: "Whereas, Kelsey's smart thinking, quick actions and ability to remain calm, helped her family and the Brooklyn Fire and Police Departments respond to the fire. Whereas, Kelsey's 9-1-1 call will be a great example to other young children through the on-going efforts of the Fire and Police Departments teaching safety in our schools, that perhaps another child will be able to be as brave as her in another emergency. Now, therefore, I, Mayor Kenneth E. Patton, and on behalf of the Brooklyn City Council and the citizens of the City of Brooklyn, do hereby extend a heartfelt congratulations to Miss Kelsey Fulk on a job well done. We are all so very proud of you. In witness whereof, I have hereunto subscribed my name and have caused the seal of the City of Brooklyn, Ohio to be affixed on this 27<sup>th</sup> day of June in the year of our Lord, 2005. Ladies and gentlemen, Miss Kelsey Fulk. Thank you."

President Albier: "Okay, we'll now have the public session. Anybody that has anything to say for the good and welfare of the City of Brooklyn please come forward."

**Shirley Palumbo:** "Now that's what's called a hard act to follow. I'm Shirley Palumbo, and I live at 10218 Micka Drive, Brooklyn, and I represent the volunteers from the Brooklyn Animal Shelter. To kick off the building campaign, the City of Brooklyn has promised to allocate \$56,000 towards the construction of an animal shelter. We are grateful to the city for its generous stated dedication of funds. We realize that we could never complete such a task on our own. With the help of grants from Brooklyn's corporate community leaders and continual fundraising, in an effort to match the funds donated by the City of Brooklyn, we have committed ourselves to raising \$56,000 towards this worthwhile project. During the last 40 days, along with other dedicated individuals and noted media personalities such as Dick Goddard, well known TV-8 meteorologist and animal lover, this committee has sponsored several fundraising events. Collectively these events have grossed about \$5,000 – including donations and t-shirt sales. Now it's time to go after the grants while we continue to hold fundraisers. We believe that we have proven, and hope you agree, that this committee is determined to provide for the welfare of the community's homeless animals. Therefore, we ask you to provide us with a letter of intent from the City of Brooklyn demonstrating the allocation of \$56,000 to the BAS building campaign. This will aid us in our quest for grants. Further, we ask Chairman Rich Albier to call for a special work session of Brooklyn Mayor Patton, Tom Ockington, Robert Kappler, members of City Council, and members of the BAS building committee, and invited guests Mr. Frank Glazner, general contractor of Nu-Image Renovation, a professional design and build firm. Purpose of the work session would be to discuss the animal shelter building project. We hope the City of Brooklyn will be favorably

impressed with these plans. Lastly we sent a letter to the Mayor and City Council last week requesting Council to waive the ordinance for no dogs allowed in Veteran's Memorial Park. We are holding a dog walk on Sunday, October 2<sup>nd</sup>, and we promise to clean up after ourselves. Thank you very much."

President Albier: "Thank you. Next."

**Tom Adamski:** "Tom Adamski, 9625 Melody Lane. At the last Council meeting there was discussion about problems with property owners and legal consideration. In the past, Council has debated this, and usually the problem is vacant or abandoned lots or problems with property owners. In the Cleveland Plain Dealer they have a short commentary section in the Editorial, and it's called Cheers and Jeers. About a month ago I read an interesting little Cheer which I'd like to make Council aware of, Mr. Ockington. 'Cheers to Dayton for joining a growing group of cities that is trying to shame the owners of dilapidated houses into fixing the places up. A prominent feature of the 3x5 foot signs that are beginning to adorn the fronts of run-down houses in Dayton is the owner's name. This has gotten results elsewhere.' I would like to have Council consider this alternate means of, as a possible solution. The legal process is always lengthy, time consuming and costly, and it seems like this is an alternate method that is rather simple. I would ask Council to make any comments during this session. Thank you."

President Albier: "Thank you Mr. Adamski. Anyone else?"

**T.J. Morgan:** "T.J. Morgan, 7468 Memphis Avenue. First of all I'd like to thank Councilman Tom Coyne for appointing me to the Charter Review Commission. It was a great honor to serve in that Committee. I think we did good work, as you'll see tonight. We didn't change the Charter, but we did do some things to make some changes. I also would like to thank the Committee members for the last six months, for the meetings, we had a good time there, and a special thanks to Jeanne Thiel, for being a secretary and doing the minutes and everything on time. So I wanted to say that first of all. The second item is the nepotism issue. I'm not here to lobby for or against the nepotism, what I am here for is that I feel that the nepotism issue should be on the ballot for the citizens of Brooklyn to decide, not the legislative body. We have done this in the past with the residency rule, and also the Clerk of Council. So I would strongly urge the Councilmembers of Brooklyn to put this to the vote for the residents of Brooklyn, and not have it decided by seven people, where there is a little bit of collusion, you might say. So I would hope that the Council would put this out to the voters and let the voter decide. And the second thing is, if you are for or against it, you have plenty of time between now and November 2<sup>nd</sup>, or whenever the election is, to lobby for it. Thank you."

President Albier: "Thank you. Next."

**Ron Wohlgemuth:** "Ron Wohlgemuth, 6504 Northcliff Avenue. I have two issues. One, is there any kind of street improvement program implemented here? I understand that, you know, we can't do everything in the concrete area, but Northcliff Avenue has an awful lot of potholes, and I think that we should be able to at least get some hot patches. It's already almost July."

Director Kappler: "I'll take a look at it."

Mr. Wohlgemuth: "My second issue is, as a resident of 36 years here in the City of Brooklyn, I'm here to voice my disappointment over the recent appointment of the Recreation City Manager, Sandra Balzer over Tom Bruzek. Sandra is a resident of Lakewood, she has a college degree in Education, a lot of her experience is working with disabled people. She also has worked at the Recreation Department in the City of Cleveland, but never has she had hands-on daily operation of a recreation center. She finished seventh on the Civil Service test. Tom Bruzek was born and raised in the City of Brooklyn. He's worked for the city part-time since he was 16 years old. He has been employed the last eight years as a maintenance man at the Rec Center. He has experience in all functions and operations of the building. He is a certified pool operator; he has all the respect of his fellow employees; he knows operations of recreation programs and care of the city parks and ball fields; he has a degree in Sports Management from the University of Bowling Green; and he finished second on the Civil Service test. He also was appointed Acting Rec Manager by the Mayor, but that was rescinded a couple weeks later for some unknown reason. And he also was recommended for the job by retired rink manager Bob Kelber. This appointment is one of the most unfair decisions made in my 36 years as resident of Brooklyn. If this appointment would have to be approved by the City Council, I am very confident it would fail. I've spoken to many residents who have expressed their disappointment and concern

over the decisions being made. And I think whenever possible we have a citizen in the City of Brooklyn with these qualifications, I think he should be given this job. And as Mayor of this city, Mr. Patton, you have the right to wrong this decision. And to those of you who put your ego and personal issues above the welfare of the city, I say shame on you. Thank you."

President Albier: "Thank you. Next."

**Linda Kelber:** "My name is Linda Kelber, I live at 4704 Brookhigh Drive. I'd like to speak briefly tonight on an issue that has been bothering me for some time, and when it finally hit home I thought maybe it's time to come and speak at Council. I'd like you all to listen to a list of names that I'm going to read off. And I'm sure you are familiar with a lot of these names. Brian Vanza, Marie Torino, Chrissy Moyer, Kevin Baker, Angela Mobley, Angel Hernandez, Angie Bogas, Ryan Kelber. All these people, they all have something in common. Number one, they all are residents of the city; number two, they all work at the Recreation Center, or have worked there at some time; and number three, they've all had their cars broken into or stolen. Marie Torino and Angel, no Angie Bogus, both of their cars were stolen from the Recreation Center. Now this has been going on since the Recreation Center opened 30 years ago. One of the assistant managers, this was years back, had the opportunity to purchase a new car, a beautiful Pontiac Bonneville. Well, he came out, either at lunchtime or when it was time to go home, the whole side of his car was keyed. Just got the car. Well, finally, like I say, it home the other night. It was Tuesday, June 14<sup>th</sup>, opening night of t-ball here in the city. It was a wonderful night, there must have been over 200 people at the Recreation Center, which is great. T-ball is for the families. That's the best time. Your kids are out there playing, you should be there. But apparently the vandals are out at the same time. Four cars were broken into that night, and my son's car was one of them. The poor kid didn't even have the car two weeks; had his temporary plates on; I didn't even get the insurance bill yet for the car; and here somebody broke into the car. The alarm went off in the car, doesn't mean anything. I don't know how much damage is done, it's at the repair shop now. But unfortunately he had a soft pak of CDs in the car with 80-90 CDs. Well, Mr. Frey, you know that, as an insurance man, and no disrespect, they're not covered under your homeowner's or your car insurance. So there he is, he's just out of luck. And needless to say, we have to pay the deductible on the car now to get the car repaired. I just think it's time that we have some sort of police protection over there, because this is an on-going thing for the last 25-30 years, and nothing has been done. When it hits home at your house, then you'll realize what I'm talking about. Thank you."

President Albier: "Thank you Linda. Next. Dave."

**Dave Stepic:** "Mr. Mayor, Council, citizens especially. You know, in this country we're slowly losing our rights. Whether you believe it or not, piece by piece it's being taken away from you. You drop a nickel, it doesn't matter. But after awhile 20 nickels adds up, all of a sudden we've lost a little bit more freedom. The other day in the newspaper the Supreme Counsel of this country now has said that any city can take your property from you anytime they want to, as long as they title it for the betterment of the city. You have lost all rights to your property. There's no question about this. There's no argument, there's no fight, nothing. They give you fair market value. Bah humbug. What is 40 years in a house? What is fair market value? It kind of led me into the third thing that I read in the paper the other day about nepotism. And when I went to school, nepotism was the appointment in government of a friend or relative, not a friend, but a relative to a position. And I thought to myself, well, I've been out of school for 50 years, by chance they might have changed the definition of nepotism. Well, I went to two different dictionaries, and by God it says the same thing, an appointment in government of relatives. Suddenly we've got this debate about nepotism with someone running in Council, although, and I will have to say the Mayor and his son, now we've got a nepotism problem which is not there, because it is not nepotism, plain and simple. If I am on Council here someplace and my son decides he wants to run for the School Board, if this ordinance that is possibly going to come up is put into effect, then he can't run for the School Board, because it's an elected position. If this goes through, through the Council... You know, everybody says, yeah, no, maybe, you have lost the right of a citizen to vote as an American citizen. They're not telling you who you can vote for and who you can't vote for in this town. If it goes through, don't be surprised in your next step, could be tomorrow, could be a week, could be a month, like this 20-year city plan; but suppose you get two people running on the outside, and the people on Council, the majority of the people on Council don't like him, they don't want him, they don't want to deal with him, they don't want to work with him. All of a sudden we've got a new ordinance in front of us stating that to get on the ballot you will have to have the majority of the Council's okay to vote as an American citizen. And then, you know, finally folks, what it's going to amount to, if it all goes through as



planned, we're going to be like two foreign powers across the water during the Second World War in this town, and we're going to learn how to salute. Thank you."

**Angret Georgi:** "Angret Georgi, 9508 Behrwald. I grew up where my first years were, until 10, under communist regime, and I know what it means not to have a right and speak out, so that's why I'm always here and have a big mouth. I read the Sun Journal, and the title is, 'It's All Relative,' and I have to chide John Kametz for being very biased. There is a paragraph in there, let me read this, 'Although Mayor Kenneth Patton was out of town on business, Brown took the June 13<sup>th</sup> Council session as an opportunity to accuse him of nepotism. This is despite Patton's not being up for re-election until 2007.' Come again? You threw me for a loop. I still don't get this. Number one, what does it matter whether the Mayor is here or there, she can address the issue because she has only twice a month to say that. And the other thing is, would you say that if his son is elected he wouldn't vote as Daddy wants, until 2007? And it has nothing to do with you, Mr. Frey, and Greg Frey, because your son is usually very sensible. I'm sorry, I mean that. But all of you, anybody who has been listening or taking note of what's been going on, and truly I do like him as a person, he's a likable, Mayor Patton is a likable person, but he has made some wrong decisions. And all of Council have objected to some of this hirings. We've been upset about salary levels. And he doesn't even repent and say, okay guys, I think I made a mistake. So think about it. It is a different situation. It's not a matter of freedom, it's a matter of, we like the guy, or you like the guy, you want to overlook the things that do affect all of us. Thank you very much."

President Balbier: "Thank you."

**Lou Changeri:** "My name's Lou Changeri, I live at 8972 Trail Run Drive. I have two issues I want to address tonight. The first one is a safety issue. And I think it was two meetings ago, I was up here, and I quoted some ordinances about people crossing through the cross-walks. What I would like to bring up is the fact that we do not have any signs posted on any intersection anywhere in the City of Brooklyn that says, 'Stop here on red, city ordinance', with an arrow pointing down. So people just come up and they automatically assume that that white line is for other people. What I would like to see is if we can't get the cross, in between the cross-walk line, right now you just have two white lines. You have the stop sign, two white lines. Why can't we get that painted solid going across the street in an opposing color? You know, not all white, but green or orange or whatever, so that people will begin to realize that that is for the pedestrians, not for cars and automobiles whenever they feel like it. So if you can see your way clear, I would appreciate it if somebody could look into that and see if we can do that. My primary concern is the nepotism issue. Now, in Webster's Dictionary, favoritism is shown to nephews, was shown to nephews by medieval prelates. B is favoritism shown to relatives, especially in appointment to desirable positions. I would like to read the opening statement of the Declaration of Independence, and I would suggest that everybody sit down and read this, the whole thing. It says, 'When, in the course of human events it becomes necessary for one people to dissolve the political bonds which have connected them with another, and to assume among the powers of the Earth the separate and equal station to which laws of nature, of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. We hold these truths to be self-evident that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive to these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundations on such principles in organizing its powers in such form as to them shall seem likely to affect their safety and happiness. Prudence indeed will dictate that governments long established should not be changed for light and transient causes, and accordingly all experience has shown that mankind are more disposed to suffer while evils are sufferable than to right themselves by abolishing the forms which they are accustomed. We as Americans and Brooklynites, and I emphasize Americans and Brooklynites, are guaranteed the rights to our opinions and our own ideas. We have the right to voice these opinions; but to try to legislate your opinions and ideas into law, this is why our ancestors, throughout the British 200 years ago... Rita Brown passed out an opinion, and I emphasize an opinion, by Squire, Sanders law firm for Seven Hills, quoted and printed in the Sun News on Thursday the 23<sup>rd</sup>, June 23, 2005. And that opinion was, 'Courts have consistently held that similar anti-nepotism laws, even in the context of the elective process, do not offend the federal and state guarantees of equal protection and freedom of association.' That is an opinion. I emphasize that I, and I emphasize I, have an opinion that is to legislate my right or anyone's right to run for elective office, no matter who else may hold an elected office, is against everything I have been taught by my parents, relatives,

teachers and my peers. In the overshadowing statement this article tries to make, the one thing forgotten is that you have to be elected first. Remember, the people, citizens of Brooklyn, could get you into office by casting the right to vote. I believe that trying to regulate who or whom may run for office is taking away my right to one of my liberties in the Declaration of Independence. Saying that, I hope that before each of you, elected Councilman and Councilwomen, before you ever pursue legislation before the electors of Brooklyn, think hard about the consequences which could come out of the opening of Pandora's box. Remember that we all have unalienable rights until someone tries to take them away. Please remember we are the people, we are the voters who go to the polls and vote. Please don't lose sight of the fact that you serve the people, the voters, the taxpayers of this city. Unfortunately, you are the ones who are supposed to weigh each side of the issue and try to decide what is best for people. So please think hard about what could happen in future, not what is happening today. Remember, November is not that far away. I will tell you that I and my family will fight until our last breaths to keep our earned rights. And don't forget, the silent majority votes. Thank you."

**Craig Patton:** "Craig Patton, 4804 Roadan Road. Mrs. Brown, you've been on Council for nearly half of my life, and for most of that time, I don't know if you've realized this, but you've sat next to three Coyne's, and also two of the most respected residents and Councilpeople in this city, in both the Freys; and yet this has never been an issue of nepotism. You wish your new legislation to go before the Charter Review Committee, which ironically your daughter holds an appointed position on, in fact appointed by you, Mrs. Brown, yet this is still not nepotism. I am not asking to be appointed, like your daughter, Mrs. Brown, but I am asking for an opportunity to be elected, just as all of you are on Council. And I think, Mrs. Brown, you underestimate the intelligence of the voters of this city. You should let them speak and have a voice in the election process. Also, I think there are far, far more important issues that you could focus on as a Councilwoman, Mrs. Brown, than taking away the freedoms of the voters of this city. And as I said before, I'm asking for an opportunity to be elected. But if the voters of the city choose not to, then so be it, I can deal with that. But, however, I will not accept anyone other than the voters of this city making that decision for me. Thanks."

**Paula Ritter:** "Paula Ritter, 8974 Boxwood Circle, Brooklyn, Ohio. Mayor... Mayor, members of Council, Directors and residents. I scribbled this down, I hope I can read my scribbling. As far as policies regarding nepotism, dealing with appointees and hirees, I think most people understand and respect that. I remember a time when I sat on Council and we had an appointed person, head of the natatorium. He was answerable to the Recreation Commissioner, same person. And the Recreation Commissioner was answerable to Mayor Coyne, the person's father. I heard no outcry on Council then. I cried out. I wasn't heard. That wasn't unusual. But I didn't hear Tom Coyne say a word, I didn't hear Rita Brown say a word, and some others didn't say a word. Now it's a problem. I found a problem then. Because that wasn't an elected official. I'm looking here. Amazingly I agree with T.J. Morgan tonight. I'm more shocked than my friends would be."

From audience: "So am I."

Mrs. Ritter: "You best be. The people do have a right to decide. They have the same right to decide they had, now I'm talking about public elected Brooklyn officials, as they did with Rita Brown, when her daughter ran. As they did with John Frey, when Greg ran. They have that very self-same right. If you're going to start legislating how we can vote, I think we're really losing one of our basic freedoms. I have a right to vote for or against John or Greg Frey. I have a right to vote for or against Craig Patton. I have a right to vote for or against anyone I choose. Council is not writing the ballot. Let me choose in the election booth. Thank you very much."

President Balbier: "Well there's only about two people left who haven't spoken, do you want to come up? I love it when everybody comes up like that. That's good Democratic democracy at work. I love it. Okay, if there's no one else we'll move on. Next is reports from Committees, Commissions and Boards. And the first one is the Public Works Committee, and that's Mr. Greg Frey."

Councilman G. Frey: "Thank you Mr. Balbier. This evening there was a Public Works Committee meeting. We met with the firm that we hope will be appointed tonight as the project manager for the construction of the fire station. We asked them to provide us with a timeline of construction schedule. They do have one in place. They hope to be breaking ground by the end of August. They hope to have the building under roof by

the time the cold weather sets in. They hope to be able to work throughout the winter on the inside of the building. And we hope to have a new fire station sometime next summer?"

Chief Duchoslav: "End of summer."

Councilman G. Frey: "End of summer of next year. That is the time schedule. The first work to be done will be site preparation. Once we have this project manager hired, as early as tomorrow they will start working on the bid packages to start preparing the property for the construction that is to come. And then we will go from there. I wanted to have this session so that the public could be informed of what we're doing and why we're doing it and when we're doing it. It is a major project around town. We're talking about \$3.8 million, give or take, depending on how well they do. For building the new fire station, it will be a state of the art station. We will all be proud of it. I encourage you to keep an eye on it as it goes up, and make your opinions known to your elected officials or your appointed officials in the city. If you see something right or if you see something that you don't like, at least ask about it. People will be available. We will ask the project manager to make appearances on about a quarterly basis before the Council at a public meeting so that you can be updated as to how the work is progressing. They have a very tight timeline. And that's just information we wanted to share with you. So that process, for all of you who have been, all of you that have been concerned about when's it going to start, it's starting. We're getting pieces into place, and pretty soon you're going to start seeing some bulldozers and construction equipment, and we will go from there. Thank you Mr. Balbier."

President Balbier: "Thank you Mr. Frey. Next is the Public Safety Committee, and that's chaired by Mrs. Pucci."

Councilwoman Pucci: "Thank you Mr. Balbier. We didn't have a meeting; however I do have an update to share regarding the rental licensing ordinance that we discussed at our last meeting. This is something we have been working on, and I do believe we need to move forward on it. At our last meeting Mr. Fisk indicated that to implement this we would have to hire a full time person. Initially I had checked with several cities who have already adopted such ordinances. I concentrated on Rocky River because I thought that their ordinance was best suited to Brooklyn, and also Rocky River is of similar geographical size to Brooklyn. After our last meeting I did some further checking. So first I'm going to share my initial information, and then the updated information. They issue a rental license that has to be renewed every two years. They have it in their computer, so each month they know which ones are due to expire. It's very proactive, especially since they do not have a point of sale inspection requirement. There are two components. The actual rental license, which is issued when they pay the fee; then the certificate of occupancy, which is issued after an inside inspection is made. The inside inspection involves primarily health and safety issues, which also protects the tenants. Working smoke detectors on every floor, GFIs in the kitchen and bathrooms, hand rails where there are more than three steps, outlet covers, and I'm not talking about the child-proof ones, but these are actual the plates on the wall that, you know, so that no wires are exposed, leaky faucets, loose wires, and that the flues are cemented. This is not a full home inspection, just basic health and safety issues. Exterior maintenance is treated equally for rentals and owner-occupied. Now about 10 days ago, after our meeting, I did speak with the Building Commissioner again. They run their program with two part-time inspectors who work approximately four days per week. Their pay range right now is from \$7.94 an hour to \$17.35. Currently they're making approximately \$12 per hour and there are no benefits. The Fire Department already inspects the common areas of apartment buildings as part of their annual inspection of six-suiters and larger. They did not add extra clerical personnel. The inspectors can produce their own paperwork, with the assistance of templates of the forms on the computer. All they have to do is fill in name, address, dates, etc. If there is an overload, occasionally they do spread some of the paperwork to other people at City Hall. City Council recently changed their ordinance for inspections to every 12 months instead of every 24 months. The Building Commissioner disagreed with this, because he felt that once violations had been corrected, in general they would not have another problem crop up within 12 months. However, Council revised the law, so they must follow it. They also recently increased their fees to pay for the program. \$50 for one unit, \$80 for two units, three or more is \$100 for the first unit and \$20 for any additional units. And at this rate the program pays for itself. The entire process can take up to two months from the date of the application, depending on if there are any violations that need correcting. He doesn't recommend having the licenses due at either one or two periods during the year. They have theirs staggered monthly. For example, when a person receives their permit or license, it expires 12 months from that date. And with that you don't have an overload of work at one or two times during the year. When they

inspect large apartment buildings they inspect about three units per floor. Then when they go back a year later they do a different three. So this provides for an even coverage. They make sure they're getting in every single unit, it's just not every single year for the large high rises. I do believe we need to move forward with this, and I do not agree that we would have to hire another full time inspector. We already do have a part-time housing inspector. That completes my report Mr. Albier."

President Albier: "Thank you Mrs. Pucci. Next is the Planning Commission, and that's chaired by Mr. John Frey."

Councilman J. Frey: "I don't have very much of a report. The Planning Commission will meet the first Thursday of July. And one thing I believe that will be on the agenda is the renovation of the Schlotsky's Grill, Schlotsky's Grill over there at the plaza where all the restaurants are, by TGIF Friday's. And that's supposed to be renovated, and Mr. Ockington might expand on that when he gives his report. Outside of that, there has been no meeting since the last report at the last Council meeting. Thank you Mr. Albier."

President Albier: "Thank you Mr. Frey. Next is the Rec Board, and I'm the chairman of that. We had a meeting on June 20<sup>th</sup>, and they gave us an update on the program registrations. There were 399 kids that were signed up for baseball, 62 for Day Camp. And I remember a couple months ago we were worried if we were going to hit 50. Well now there's 62 in that program. 28 for cheerleading, 26 for dance, 136 for learn to skate, 293 for learn to swim, 65 for soccer, and 19 for tennis. In the baseball sponsorship program we have 34 team sponsors at \$150 apiece, so that brought in \$5100, and we have 37 volunteer coaches. That Backyard Fun area that we talked about, where we close it at 4:30 and get everybody out and re-open it at five for Brooklyn residents only, and they tell me it's been working fantastic, they haven't had any problems at all, and they've been averaging 16-20 Brooklyn residents up there each night. So I was happy to hear that. And Mrs. Kelber mentioned about the recreation parking lot, with the thefts and so forth. Well the employees there contacted me at home, and immediately I got on the phone, or I came down to City Hall, and I talked with the Police Chief and Mr. Kappler and so forth, and they are working on it. And I told the Mayor we should have cameras up there too, and they're working on that. And the Police Department's working on the problem, but I'm not going to discuss what they're doing, it wouldn't be too wise, it would tip people off. But the problem is being addressed, and we know about it, and hopefully we can get cameras up there, and hopefully they'll make some arrests. And our next meeting of the Rec Board will be in September. And that's all I have. Next is the Finance Department, and that's also Mrs. Pucci."

Councilwoman Pucci: "Thank you Mr. Albier. The Finance Committee did meet earlier this evening. In our packets we received the mid-year review from Mr. Fisk, and this evening we also received the CAFR, which is the Comprehensive Annual Financial Report from the city, and also the PAFR, which is the Popular Annual Financial Report, which will be mailed to every household in Brooklyn. We approved the following items on the agenda: the first was authorization for a construction manager of the fire station. We don't actually have a contract yet, but we do know what the bid is, and some of the terms. So what the Finance Committee decided to recommend was, tonight we're going to approve a provisional contract with the construction manager; and once Mr. Shaper gets everything in writing, it will come back to us for final approval. But approving it on a provisional basis tonight makes sure that we keep moving forward with the project without a delay. And Mr. Shaper, thank you for coming up with that compromise, I appreciate that."

Director Shaper: "And you are going to give me a ceiling price on that as well."

Councilwoman Pucci: "Right. We also had a letter from Mr. Shaper regarding the labor, I'm sorry, project labor agreements, which this was already addressed with most of the other constructions and trades at an earlier meeting, and this just is going to cover local plumbers, I'm sorry, Plumbers Local 55, and then the Elevator Constructors Local 17. And they will be of similar nature to the other project labor agreements that we already have in place. Then we have Resolution 2005-7, which is the third reading on our Tax Budget, which we will be adopting this evening. Resolution 2005-10, which authorizes the city to apply for the DARE, the Drug Abuse Resistance Education, Law Enforcement Grants Program. And that completes my report. Thank you Mr. Albier."

President Albier: "Thank you Mrs. Pucci. Mrs. Gallagher isn't here this evening, so we'll move onto the Zoning Board of Appeals, and that would be Mr. Ockington."



Comm. Ockington: "There was no Board of Zoning Appeals meeting in June due to lack of business."

President Albier: "Thank you Mr. Ockington. We'll now have the reports from Council, and tonight Mrs. Pucci is first."

**Councilwoman Kathy Pucci:** "Thank you. First I'd like to offer my condolences to the family of Mr. John Hulec who passed away, and also to the family of Mrs. Maryann Gasior who also passed away. Both families have my deepest sympathy. And I would also ask residents to keep in their prayers the victim of the serious accident that we had on 480 on Saturday. And Chiefs Duchoslav and Murphy, I had some residents approach me today who complimented our safety forces. They were impressed first by the quick response. And apparently there were some residents watching from their homes, you know, the ones that overlook 480, and they were also impressed with how quickly they were able to get the victim out of that car. So if you would pass that along, I had a couple residents mention that to me earlier today."

Chief Duchoslav: "I'll do that."

Councilwoman Pucci: "In last week's edition of the Brooklyn Sun Journal, in the article on nepotism, a quote was erroneously attributed to me, when it was said by Mr. Albier. And I believe they have it all straightened out, so there is going to be a correction in the paper this week. And as Mr. Stepic brought up, there has been a lot of publicity and discussion on the recent Supreme Court ruling that will allow cities to take private land by eminent domain, even if it's for private development, not specifically for a public purpose. And I am aware, Mr. Stepic, that the residents on Tiedeman Road especially are very concerned about this in light of discussions that have taken place regarding the Master Plan. And Mayor, I think it was stated at the public meeting for the Master Plan, but just to reiterate, it's very important that these residents are kept up to date. And I'm only speaking for myself, but I can't believe that there's anybody up here on Council who would initiate such an action for a private development. But I do know what the concerns are over there; some residents have contacted me since that ruling. So I just want you to be aware of that. And thank you for your comments about that this evening. And Chief Duchoslav, could you please review one more time for us, the hospital choices that a person has when the ambulance responds? There's still a little bit of confusion with residents since Deaconess closed. And with the other hospitals that we've added, which are when some of our regular emergency rooms are closed, I think some people are getting confused because they hear, well my neighbor was able to go to this hospital and when I, you know, had a call for the ambulance they wouldn't take me there. So if you don't mind, I know we've done this before, but if you could just give us the information one more time."

Chief Duchoslav: "Sure, our regular hospitals that we transport to are Parma, Metro and Kaiser. Those three facilities are on our regular, we could get to those hospitals, back in service and back in the city for another call in a relatively short period of time. When those hospitals are closed, those three hospitals, and it's a possibility that that would close, we will go to Lutheran, we'll go to Fairview, and actually St. Vincent's is, because of the freeway, is actually in the timeframe close enough. But our usual other two hospitals are Lutheran and Fairview."

Councilwoman Pucci: "Okay. And I guess the recent questions I've had are that there's basically two major health systems, the Clinic and University, and of course we have Parma, who's independent..."

Chief Duchoslav: "Right."

Councilwoman Pucci: "And of course people always feel most comfortable in one of the hospitals that's in a system where they're going to be able to access their medical records. And, I mean, just so you're aware, this is part of the confusion that, you know, they hear, well, my neighbor was taken to Fairview, and they don't understand that it was because Parma was closed or Metro was closed."

Chief Duchoslav: "Parma or Metro or Kaiser would be closed."

Councilwoman Pucci: "Right. But we would only take the Kaiser patients..."

Chief Duchoslav: "To Kaiser, for Kaiser customers, or beneath that health plan."

Councilwoman Pucci: "Only, right."

Chief Duchoslav: "Let me emphasize though that in an emergency situation, it doesn't matter where your records are, we are only a temporary fix to get you to a facility. The closest facility that is available at the time, and that has to do with the medical condition, is what determines which hospital you go to. And in that case, you could be stabilized in that emergency room no matter where it is, and at your request, once you're stabilized, can be transferred to the hospital of your choice. That would be by private ambulance, not by us, we do emergency runs. But those are options that are available. The key is, an emergency to get to a facility."

Councilwoman Pucci: "Okay, thank you Chief, I appreciate that. And Mr. Ockington, could you please briefly run down the process for citing someone for a property maintenance violation, from the beginning when they're issued a letter, and then they're given so much time?"

Comm. Ockington: "If it's a homeowner, a resident homeowner, we generally give them a verbal warning or written warning. We've given them, if they don't comply, we give them a violation letter, we contact them to make sure that there are not some conditions why they are continuing not to comply, and then we would issue a citation in Mayor's Court."

Councilwoman Pucci: "Okay, and what about properties that there's been a problem with in the past? Do they still get the letter first, or...?"

Comm. Ockington: "Under 99% of the time they would get a violation letter, and they would get a ticket if they don't comply. If it's a repeat offender for the same thing over and over again, we will send them a letter telling them that they're not going to get anymore warnings, and then we just issue a ticket."

Councilwoman Pucci: "Okay, and is that a repeat offender of the same year, or it doesn't matter if it's the same year?"

Comm. Ockington: "It doesn't matter if it's the same year. If it's something that is happening frequently."

Councilwoman Pucci: "Okay."

Comm. Ockington: "You know, if it happened three years ago we would send them another letter, but if it happens every six months we would just issue a ticket."

Councilwoman Pucci: "Okay. And is that issued to the owner of the property? Or someone living in the property?"

Comm. Ockington: "It would be issued to the owner of the property."

Councilwoman Pucci: "The owner? Okay. Thank you very much. Mr. Kappler, at the Rec Board meeting there was a discussion on what the city could do to make sure people were aware of the sexual offenders or predators in the area. Have you had a chance to do any further checking into that?"

Director Kappler: "Yes. As the Sheriff's Department notifies the Recreation Department, we are posting those in the cashier area, to keep on the lookout for those individuals. We are not posting out in the public access."

Councilwoman Pucci: "Okay, and are we prohibited from posting in the public area?"

Director Kappler: "I'll refer that to Tom, because I'm not exactly sure. Mr. Shaper?"

Director Shaper: "I do not believe we're prohibited from a letter that gets sent in the mail to residents within 1000 feet. I think that would give us the right. I don't think there's anything that prevents us from doing that. I would refer that more as a policy decision than a legal decision. But the policy is you, and again, policy, not legal, you don't want to give the appearance that there is somebody present in the building that they're not present. There's a balancing act. Do you want people to be aware but you don't want them to be

in fear... You want a rational level of apprehensive, I'll call it, but you don't want to call it to make the center, you don't want to give the appearance that these are people that are frequenting the center, if they're not frequenting the center."

Councilwoman Pucci: "Okay. Well, and I think this came up in part of the discussion because of an incident that happened, but also because of a notification of someone in the area of the Rec Center. I think the more people that are aware of it, the better. And I certainly don't think it's, you know, a cause for panic. I would hope at the minimum that all the employees would be shown the pictures, because, you know, a lot of times, especially if cashiers have a line, people are just zipping through. So I would hope at a minimum that we're gonna, you know, make sure every employee at the Rec Center and the Natatorium is aware of, you know, who these people are in the area, so that they can at least be alerted to keep out an eye. And then I guess we have to make the decision if we're going to post those pictures for the public to view. I guess we have to discuss that further."

Director Shaper: "That's correct. I do not have a legal objection to doing that. I cannot see how if it goes to a number of residents, by the mail, by order of the Sheriff, if one of those residents posted on the board I don't think I have an objection. So that it's our property, so I don't think that we're in the wrong for doing it."

Councilwoman Pucci: "Okay."

Director Shaper: "It's policy, not legal."

Councilwoman Pucci: "Okay. Mr. Kappler, could you please make sure that all the employees are made aware of this particular situation?"

Director Kappler: "Absolutely."

Councilwoman Pucci: "Okay, thank you, I would appreciate that. And I believe that completes my report. Thank you Mr. Albier."

President Albier: "Thank you Mrs. Pucci. Mrs. Brown."

**Councilwoman Rita Brown:** "Thank you Mr. Albier. Recently Council passed an ordinance on the placing and removal of posters and signs. And there was some discussion as to who would do the removing of the signs. Well, over the past week it became clear, it's not up to the Building Department to remove these signs. The Building Department does not have the employees to do this. And it's certainly not the duties of the Police Department, they are much too busy doing their police work, as illustrated with the 480 crash and the horrible crash and police work involved that we had at Pelham and Vandalia. That was just yesterday?"

Director Kappler: "Saturday."

Councilwoman Brown: "Chief?"

Chief Duchoslav: "Saturday."

Councilwoman Brown: "Chief, when was that horrible accident on Vandalia, yesterday?"

Councilwoman Pucci: "Saturday."

Chief Murphy: "Saturday."

Councilwoman Brown: "Saturday? By the way, the Police Department did an excellent job of curtailing that problem. And so, Mr. Kappler, it looks like it's going to be up to you and your service crew. Now over the weekend, this past week, I was driving around the city, and I saw tremendous amount of garage sales everywhere. Now Mrs. Pucci and I disagree on advertising garage sales. I don't believe they belong on main streets. I don't believe they should be on Ridge Road, Biddulph, any main street. I even saw on the corner of Biddulph and Radoan a private for sale, house for sale. It doesn't belong there. The treelawn belongs to the

city. We homeowners maintain it. When I looked on Saturday and Friday on Ridge Road, it looked like trash city. Come here, come here, buy your junk here. Well I have a big problem with that, and we're going to have to decide who picks up the signs, and if they're allowed on main streets or not. Now I will concede the side streets. If you're having a garage sale, okay, maybe you can put your sign on the side street. But please, Council, think, do you really want these on our main roads. Okay, the next thing I'll come up with. Mr. Wohlgemuth, I agree with you. If Council had the opportunity to choose, to confirm, I'm sure Mr. Bruzek would have been given the job. Our hands are tied. That's all I can say on that one. Mr. Stepic, I'm not limiting the vote, I'm presenting it to hundreds of people, hundreds of voters. I shall read the proposed legislation, and you will see that it does not prevent Mr. Patton from running. 'Shall Article 3, Section 2 and Article 4, Section 1 of the City of Brooklyn, Ohio Charter be amended to prohibit two or more members of a family, as covered by this Charter, from serving in an elected position concurrently.' As covered by this Charter. Does it mention School Board? Is School Board mentioned in our Charter? Are there terms and qualifications mentioned in the Charter of the City of Brooklyn? Absolutely not. Absolutely not. If one member is serving on Council and another member, family member, wants to serve on the School Board, there is no conflict of interest, and a School Board is not mentioned in the Charter, where I'm looking for the Charter amendment. For this section family is consi..., this is a real tough word, consanguinity or an affinity of the second degree. That means a blood relative or a relative through marriage, which includes spouses, parents, children, siblings, grandparents or grandchildren. Vote yes or no. It doesn't prevent Mr. Patton from running for office. And it doesn't prevent anyone from running for the School Board. And now I have another comment to make on that. The only people who would vote against putting this on the ballot, on the ballot for you to choose, are afraid it's going to pass. I want to call your attention to the importance and responsibility of placing this legislation on the November ballot. Mr. Shaper, the Charter Commission is making a change for the Mayor, what is that please?"

Director Shaper: "Are you referring to the Mayor selecting a Service Director and having a..."

Councilwoman Brown: "No, no, not that one. Under..."

Director Shaper: "I don't know if I can answer your question."

Councilwoman Brown: "Well we're going... Let me see. Where's that legislation we're doing tonight? By the Charter Review."

President Albier: "We're going to vote on that tonight Mrs. Brown, the four recommendations from the Charter Review Commission."

Councilwoman Brown: "Well there's one for the Mayor. Here it is. Article 4, Section 5. The Executive Powers of the Mayor. What is the change?"

Director Shaper: "That he appoints the Service Director."

Councilwoman Brown: "Is that the only one that he's... Well he always appointed the Service Director."

Director Shaper: "That's correct, but it wasn't in the Charter."

President Albier: "But it's going to need approval from Council, and that wasn't in the Charter before, Mrs. Brown."

Director Shaper: "Nor was there that the Mayor, nothing about a Service Director was in the Charter before. And at a meeting of the Charter Committee it was brought up that they wanted to reduce to the Charter, put in writing in the Charter, what has been the course of action in Brooklyn for longer than anyone on the Charter Commission could remember."

Councilwoman Brown: "Okay."

Mayor Patton: "And the Mayor did not propose that."

Councilwoman Brown: "I also wanted to call your attention..."



Councilwoman Pucci: "Did you want to clarify, I don't think anybody heard that?"

Mayor Patton: "The Mayor did not propose that Charter change either."

Councilwoman Brown: "Okay."

Mayor Patton: "He agreed with it, as it came from the Charter Review Commission."

Councilwoman Pucci: "Can I..."

Councilwoman Brown: "I have no problem with that."

Councilwoman Pucci: "Mrs. Brown, do you mind if I comment on that? Because I will tell you, I was the person that went to the Charter Review Commission and suggested that they look at it. Because all the other department heads and directors and chiefs were addressed in the Charter, that they were appointed by the Mayor, subject to the confirmation of the Council. And the Service Director was the only director's position that was not covered. And that was my suggestion, that we be consistent, that all the directors and chiefs should be treated equally."

Councilwoman Brown: "Okay, we're getting a little off track here. I want to backtrack a little bit to the residency. Talking about something, putting something on the ballot and letting you choose. As most of you people know, I was strongly opposed to changing the residency. I said you'll be giving your jobs away. Well, whether that proved to be true or not is up to you. However, although I was strongly opposed to it, I voted to put it on the ballot to let you choose. Okay. Now I have no objection, I had no objection when we put that on the ballot. And by the same token I want to give the people the right to vote if they want to eliminate family members on the Council. It is their right. It is the right of a Charter city to determine the terms and qualifications of their Council. And that is your right to give your opinion yes or no. Our responsibility on the Council is to make this choice available to you on the November ballot. Okay, so Mr. Shaper, I'm asking you to draw up the necessary ordinance, and the paperwork, so Council can vote whether they want to put this on the ballot in November. And I wonder if we could have a special meeting of the Council for July 11<sup>th</sup> at 7:00? And possibly we could work in your other legislation that we have with the fire station."

President Albier: "It's okay with me if it's okay with the rest of the Council."

Councilwoman Brown: "It's alright with me."

Councilwoman Pucci: "Mr. Albier, may I make a suggestion?"

President Albier: "Yes."

Councilwoman Pucci: "If we're going to be scheduling a special meeting, definitely, hopefully the contract with the construction manager for the fire station would be set, the rental license ordinance... Go ahead Mr. Shaper."

Director Shaper: "I'm going to say this. I can draft the ordinance that has been given to me, that is adopted and that there is a legal opinion for. But I want it on record that when I draft it, I have tremendous problems with it; and when I've gone to the people who, in my opinion for how it works in different locations, when I read between the lines, the problems that I warned about the last meeting are there. This, as drafted, this allows people to run, it doesn't stop anybody from running, it stops them from serving. I have no idea what to do should this pass and somebody get elected... I don't know which Frey to say, it's been nice Mr. Frey, take care."

Councilman J. Frey: "I'm ready to go."

Director Shaper: "I have no direction. And when I've gone for help, there is no help out there. And I understand why there's no help out there. I asked... I will take this ordinance, I will substitute the name Brooklyn for Broadview Hts..."

Councilwoman Brown: "I have it here for you."

Director Shaper: "Well is what you're proposing different than what you gave me to review?"

Councilwoman Brown: "Yes, it is. As a matter of fact you brought up the fact, ever so strongly brought up here that you could not run for the School Board, if this was followed..."

Director Shaper: "I never said you could not run for the School Board, that is incorrect. What I said was that, if, in my opinion, if somebody was on the School Board and elected there, and elected to the School Board, that that meant, in my reading, that it is arguable that somebody related, as the relation was established by the ordinance, could not serve simultaneously on a position that they ran for in the Charter. I never said I had the authority to tell somebody to get off the School Board. I can't touch the School Board. But under the amendment, under the Charter amendment that I was given, that would, in my opinion, mean that the person who runs here could not serve."

Councilwoman Brown: "That has been amended to read, 'two or more members of a family as covered by this Charter.' As covered by the Charter... Mr. Shaper..."

President Albier: "Mrs. Brown... Mr. Shaper, wait a minute. Mrs. Brown, I'm going to make a suggestion. Why don't we have this conversation, you meet with Mr. Shaper when you come up with an ordinance that you're satisfied with, and we'll call the meeting."

Councilwoman Brown: "I have one. Alright, I am asking him..."

President Albier: "Are you sitting down with..."

Councilwoman Brown: "...to prepare the ordinance."

President Albier: "Well you have to sit down with him and tell him what you want in it."

Councilwoman Brown: "I'm telling him what I want."

President Albier: "So when you have something... When you have something that you're satisfied with, then let me know..."

Councilwoman Brown: "I have something I'm satisfied with."

President Albier: "...then we'll call a meeting."

Councilwoman Brown: "I'm satisfied with what I have and I'm asking for a meeting July 11<sup>th</sup>."

Director Shaper: "I can take the ordinance and I can submit it to the Clerk of Council and have it drafted for Council. I can do that."

President Albier: "Okay."

Director Shaper: "I can't tell you that if it passes that I'll know what do with it."

President Albier: "Okay. Alright."

Councilwoman Brown: "Well, that's fine. We also know that you are appointed by the Mayor."

President Albier: "Let's move on Mrs. Brown."

Director Shaper: "Thank you Mayor."

Councilwoman Brown: "Mr. Shaper. That completes my report."

President Balbier: "Thank you Mrs. Brown. Mr. Greg Frey."

**Councilman Greg Frey:** "Thank you Mr. Balbier. I would like to weigh in on the nepotism. Mr. Changeri, who Mr. Kappler, I think we ought to take a serious look at painting those crosswalks, that makes sense painting them a solid color to highlight that there are children and pedestrians crossing there. I think we could do that a reasonable cost. I hope we do it. But on the nepotism. Okay, Mrs. Brown, at the meeting said that it wasn't about the Freys, that she was after Mr. Patton, I assume. It is about the Freys, okay. John Frey has served on this Council 47, 48 years?"

Councilman J. Frey: "Only 46."

Councilman G. Frey: "46 years. I'm in my 20<sup>th</sup> year on this Council. I have dedicated my life to making this a better place to live for the people of Brooklyn. You have never see me get the advantage of real estate deals or backhanded rooms or appointments to other county positions and federal and state positions. I have never done any of that. Okay? I have two sons that have taken civil service tests that have become police officers, one here in the City of Brooklyn. That son, at age 19, entered the military. They sent him to the first Iraq war. He served as an MP for six months, transporting Iraqi prisoners back and forth to enemy lines, okay, from the front back to the rear holding areas where the Saudis took care of them. He watched them be put on planes at the end, flown back to Iraq, and most often they were shot on the tarmac when they landed in Baghdad. Okay, that son then came home, and they sent him to Bosnia. He spent six months as a peacekeeper in Bosnia. Okay? Everybody hated him. Everybody shot at him. His life was pure hell. It was miserable weather, it was a miserable time. All of you recognize the ethnic cleansing and the Serbs after the Muslims after the Croats after the Macedonians after the Albanians. Remember all that? My son was there. He came home, they signed him to Fort Leavenworth. He served as a military police officer at Fort Leavenworth for a year or two. He then got out of the service, he came home, took a civil service test, and became a Cleveland police officer. He worked in Cleveland for five years in the 5<sup>th</sup> District of Cleveland. Okay. Very hard, he was involved in shootings, he was involved in horrible things that you never want your family to see or experience. Alright? That's my oldest son. He took a civil service test, finished quite high on it, and applied for a position as a police officer in the City of Brooklyn, and he was hired. Okay, if somebody has a better qualified person for that position, bring him forward. My other son was rejected by the City of Brooklyn. He applied too. My other son just came back from Iraqi Freedom. He spent a year at Iraqi Freedom. Easter Sunday of 2004... He was a truck driver. Okay, a Sgt. leading a platoon. Easter Sunday 2004 the Iraqi insurgents tried to overrun the Baghdad Airport. My son was awarded a Bronze Star for his service and leadership during that operation. Okay? He is now home. He wasn't hired by Brooklyn, although they've hired several people that finished lower on the civil service test than he did. Okay? He is a police officer in another community. I'm very proud of them. I'm very proud of my family's life in this community. And I want to tell every single one of you, when you limit my rights as a citizen, which this does. Mr. Coyne doesn't have to get a Charter approval to run for office. Mrs. Brown doesn't need a Charter approval to run for office. I need a Charter approval, under Mrs. Brown's... I need to defeat a Charter proposal to run to serve an office, if this is adopted. Ladies and gentlemen, I have put my name in front of the voters of this community eight times. You have seen fit to elect me seven times. One time you saw fit not to elect me. It was the first time I tried to run for Council. I am extremely grateful for you. As I said before, I have dedicated my life to trying to make this a better place to live. Not just here in the city. I've been active in my church, I've been active... My business is located in this town. I employ people in this town. I pay my taxes to this town. Okay? And I have all my life... Because I love Brooklyn. My family has lived in this town for over 100 years. We have been part of the civic life of the City of Brooklyn. Okay? And now, the other day, I find out that I need to go out and beat a proposed Charter so that I can put my name in front of you. My name will be on the ballot in November, okay. All I have ever asked of anybody is that you take a look at who I am, what I have done, and whether or not I deserve to be elected to your Council seat. It's not my Council seat, it's not Mr. Coyne's Council... It's yours. You are the people of this city. You have the right, and have always had the right, to elect your representative. Okay? I am a qualified elector in this town. I pay taxes, I have rights. When you limit my rights, you limit your rights. Think about that. A week ago in Iran, and this is not Iran, and maybe it's a stretch on the comparison, they held free and open elections. The dig was, before the election was held, the Mullahs struck 1,000 candidates off the ballot because they didn't consider them worthy. Well, we're talking about preventing two candidates from serving, okay. Mrs. Brown may get her Charter change, and you may vote for it. I give you my word tonight, in public, that if in November this Charter change goes before the people of Brooklyn, and if it passes, and if I were somehow re-

elected, I will resign. I will not sue the City of Brooklyn, I will not engage in polemics or anything else. I will resign and I will not serve that term. Okay. I thank you for your attention. I had to get this off my chest. It's been really seething in me."

Councilwoman Brown: "Why are you picking on Mr. Coyne?"

President Albier: "Thank you Mr. Frey."

Councilwoman Brown: "Why are you picking on Mr. Coyne..."

President Albier: "Mrs. Brown..."

Councilwoman Brown: "...it's my legislation?"

President Albier: "Mrs. Brown, you don't have the floor. Thank you..."

Councilwoman Brown: "Thank you Mr. Albier."

President Albier: "Thank you Mr. Frey. Mr. Coyne."

**Councilman Tom Coyne:** "Thank you Mr. Albier. I'd like to hope everyone that has a very happy 4<sup>th</sup> of July. And just to comment on what Mr. Frey said. As a veteran who served overseas for the most of two years, I commend him in allowing his children to serve. A couple of my kids have served, and I think it's made better people out of them. It's helped them in their jobs and their future jobs. And I think, as far as I was concerned, being in the military was a good thing. It helped me become, it helped pay part of my education in becoming an electrical engineer. So that, plus the experience of being in the military and serving for the country, I think it was a good education. Thank you Mr. Ivan Dockery for your Northcliff Avenue Neighborhood Coalition. Ivan sends these out every month or two, it's a great newsletter. And also he's scheduling, or he has scheduled, a block party for July 30<sup>th</sup> this year. And I've been to I think every one he's had, and they're always a good time. And I encourage everyone to attend. Thank you Chief Murphy for your report. And to all the residents who spoke this evening, I thank you for taking the time to come up here and speak before Council. Public Works, it was brought up before, as a member of the Committee, one of the things that I've asked for is, at the meeting, and I had numerous questions about the construction manager qualifications, and the safety of the area as pertaining to Brooklyn residents. They are going to put a fence around the whole property where the future fire house will be built. And they're going to put temporary sidewalks in. I had some concerns about that, but they addressed those concerns, and they will be making sure that the temporary sidewalks are sufficient to handle the needs of the residents in the area, that many of the residents in the Westbrooks, some are handicapped and have to use wheelchairs. And thank you Mr. Stepic for your concerns about the recent Supreme Court decisions, rulings on eminent domain. I know and have heard from numerous Tiedeman residents on the concerns of the future development of Tiedeman. And I hope this can be resolved in a favorable manner to all the long-term residents who live in the Tiedeman Road area. I know there's a couple of them here in the audience. And as Ron Wohlgenuth mentioned, there are lack of repairs and the Northcliff street is in deplorable condition. I received numerous complaints about not only Northcliff but other streets in the community. And I know our crews are working hard to make the repairs, and I hope our budget will allow continued repairs of our streets, and bring them up to the condition they need to be in for our residents. And that's all I had."

President Albier: "Thank you Mr. Coyne. Mr. John Frey."

**Councilman John Frey:** "Thank you Mr. Albier. I want to say my condolences to Mary Murphy and her family on the loss of her brother this past week. I attended the funeral. And her brother joined the Army December 8, 1941, one day after December 7, 1941, served four years, was decorated often, and passed away a week ago. My condolence to the entire Murphy family and to your brother's family. I also can't understand why Brooklyn, we have people here bringing ordinances, copies of ordinances to Brooklyn from places like Maple Hts., Garfield Hts., Broadview Hts. Brooklyn is considered a gem in the county area. We're looked up to. We have money normally. Our streets are always plowed. Our grass is cut. We have a wonderful city. And we have Council that keeps bringing us ordinances from places that wish they had what we have in Brooklyn. I'd sooner do what we in Brooklyn feel needs to be done rather than do what some of these other



communities that are really struggling are doing. My comments on that. I certainly agree with you, Linda Kelber, on car theft. I've had two stolen. I think everybody knows about the one I had stolen at Wal-Mart. My stars, it's terrible when you come out of the store and your wheels are gone. But on the nepotism thing, it's kind of interesting. I get all choked up when Gregory speaks. He really knows what he's talking about. And you're right, Angret, what you said, that Gregory often makes a lot of sense. And that's true. But this nepotism thing, I don't think it would have a snowball's chance in, what's the word...?"

Councilman Coyne: "Hades."

Councilman J. Frey: "...to pass, okay? And I think it would be kind of ridiculous to go on the ballot, to be very truthful. And yes, I'd probably be one of those people that might vote no not to put it on the ballot and subject this city to the cost of it, and to the people that would have to go there to vote on it. I really think it's a ridiculous thing to start talking about nepotism, because this is an election year. There are a few people that are a little concerned that they might not repeat as Councilmen. In fact, it would be pretty popular if they didn't. This Council, as you know, is becoming very divisive. You people that live here and know what's happening, I am often told, what's going on, what's going on with that Council? Everybody's going in a different direction. We have too many Councilmen that want to be Mayor. And that's not good for your city. We have too many Councilmen that are trying to harm the present administration one way or the other. I don't like that. Gregory talks about he has been in this town a long time, well I've been in this town a long time too. 77 years. And talking about service, yes, I was in WWII, my dad was in WWI, and my grandkids are in this present. That doesn't mean anything, we had to go. I joined, but if I didn't the draft would have taken me. In any event, I love Brooklyn, always have. And if you care to move me off of Council, you'd be doing me a favor, okay. It's no fun anymore. It used to be an enjoyable job up here. It's getting very difficult. It's difficult because the Council is very split, and you recognize that. So, with that said, I did attend the dog meeting that Mrs. Palumbo was talking about. And in their article tonight they want us to pass on to start the funding for this animal shelter, and I hope Council passes it, which I'm sure they will. And we did talk to some architects and builders to get the initial start-up going. So I thank you Rich Albier, and I thank all of you that voted for me in the past. I'm sorry you can't vote for me again. But that's life. Thank you. Rich."

**President Rich Albier:** "Thank you Mr. Frey. Sometimes I think you had this all planned out John, that we switched chairs here. I also was going to speak, it's been spoken on a couple times tonight, about that Supreme Court ruling. You have to remember, that's a 5-4 decision. It means one vote changed the law for 280 million people. And I just want to read the quote from the dissenting opinion from Justice Sandra Day O'Connor, it was in The Plain Dealer. It says, 'Any property may now be taken for the benefit of another private party, but the fallout from this decision will not be random. The beneficiaries are likely to be those citizens with disproportionate influence and power in political process, including the large corporations and development firms.' And I think that's 100% true. And there is a place for eminent domain, like if you've got to take some property to build a freeway or something, but not just to take it from a private citizen to give it to another private citizen so they can make more money. I'm 100% against that decision. And I may as well put in my two cents about the nepotism. First of all, I respect people that stand up and speak for what they believe, like the 10 people that spoke here tonight. It takes a lot guts to come up to that microphone and talk in front of a bunch of strangers. And I give them, they're very courageous for doing that. And I told Mrs. Brown this the other day, I respect her when she speaks up for what she believes in. The only thing is, on this issue I take the opposite opinion. And a couple of things I'm going to point out. First of all, your Charter is like your Bible. It's like the Constitution. Every time a little problem comes up the United States doesn't run to the people and try to change the Constitution. As far as I know, in over 100 some years, this is the first time this has happened, and I don't think we should run to change our Charter right away. And I think once you say that you're taking away somebody's right to run for a public office, red flags go up all over the place to me. And when we had this meeting I said, you could be a communist, you could be a racist, you can be a clansman, you can be anyone of these things and if this passed you could run for office in Brooklyn; but if your mother and father or somebody is on Council or something, you can't run. That doesn't make sense to me. And I would rather have the people vote for it... Like if Greg runs, the people vote for him. And in Patton's case, his son's running. Everybody knows the circumstances. He's the Mayor, his son's running. You either like that or you don't like it. But you vote for it at the ballot box. And I take a lot more confidence in 4,000 or 5,000 voters voting, they have a lot more intelligence than the seven of us put together. And I think this should never get to the Charter, to change the Charter. That's all I have to say about that. Now we'll have the Mayor's report. Mayor Patton."

**Mayor Ken Patton:** "Okay, thank you. Thanks to Rich Kistemaker who served as the Chair of the Charter Review Commission, Dave Stepic were my appointments, and all the members of the Charter Review. You served well, you proposed what was on the table. Also I want to thank Tom Shaper and Jeanne Thiel for the work that they had also. What's on this evening's agenda, the one day dog permit for Memorial Park is just that, a one day agenda, and I ask that Council pass that. Received a resignation letter from Judy Snodgrass, resigning from the Domestic Violence Committee. They've purchased a home in a different county and will soon be moving. So again, one of the things that the Charter Review wanted to do when appointments come up, let's advertise them and get people interested, if they want to join the Domestic Violence Committee, or any committee. So this is available, I know I did get one application already. But if there's anyone else out there, please send your application in. The Cuyahoga County Board of Health has established a Home Injury Prevention Program which is made possible with funding from the Western Reserve Area Agenda on Aging. The program's designed to complete home assessment for seniors who have specified eligibility guidelines. The goal of the program is to decrease or eliminate the risk of unintentional falls within the home for each client. Educational sessions are offered countywide for agencies, home care workers and senior citizens and senior centers on a request basis. Each client has to meet certain qualifications to become a part of the HIPPP. Please call 201-2001 ext 1519, or call 201-2000 and ask for HIPPP. And also, Parma Hospital is going to be joining that to assist us. Received an update from NOPEC. As you know, NOPEC board of directors has been frustrated in its efforts to lock in a natural gas contract because of the extensive period of high natural gas prices which we are experiencing. At its regular meeting June 23<sup>rd</sup>, the board invited energy expert Mark Frye, who was president of the Palmer Energy Company of Toledo, to provide an overview of the current market. And here's a brief synopsis of what he said. 'Mr. Frye stated that the three factors that are driving the prices of natural gas is: 1, Demand is up; 2, supply is stable; and 3, the cost of oil is so high, being \$59 per barrel this week. The first two are obvious, although imports from Canada and Mexico have increased, as well as imports of the liquid natural gas from elsewhere in the world, and these supply gains have been more than offset by rising demand lead by increased use of natural gas to generate electricity.' It just goes on. And for the time being there's going to be no action by NOPEC. And again, it's just the cost of oil and fuel is so high you've just got to bear this out. We are paying attention to the market, however, and we may be coming up with something soon. But it's very difficult to look into a crystal ball and try to find out what the answer is. Congressman Kucinich sent me an update about NASA. The funds of NASA, at \$16.5 billion, 275 million above fiscal year 2005, and 15 million above what the President requested. So jobs at NASA may survive for a short time. The quote here is, 'NASA, in the past few months, used its buyout authority to promote voluntary separation as a first attempt at reshaping its workforce. The committee directs that NASA should not go beyond this initial voluntary buyout stage until it has developed a comprehensive, coordinated restructuring plan and implementation road map that has provided a report to the Congress detailing the steps that will be taken in reshaping the agency's human and physical capital assets.' So hopefully some of those jobs will be saved. I've not received any word from the busload of elected officials and workers who went up to Buffalo today trying to save DEFAS. Please mark your calendars. Over at the Senior Center the ice cream social will be Sunday, August 28<sup>th</sup> from 4-6:30 p.m., and the cost is \$3 per sundae, and it's going to be Honey Hut ice cream. The Senior Center is also going to have a summer hot dog roast and a movie on Friday, July 22<sup>nd</sup>. The movie will be The Aviator. Snow removal sign-up is scheduled August 8<sup>th</sup> thru August 12<sup>th</sup>, please mark your calendars. Blood pressure readings for those who need it at the Senior Center will be provided on July 7<sup>th</sup> and July 28<sup>th</sup>, and that's between 10-11:00. There's a recipe exchange picnic. Please bring to our summer picnic your recipe to exchange. You bring your side dish and the center will provide fried chicken. Don't forget to drop off your recipe and make copies for everyone who will be joining us with their dish. That date is Friday, August 26<sup>th</sup> at noon. Reminder, the Senior Center will be closed on Monday the fourth, and also rubbish will be one day later that week. I'd like to congratulate the Senior Citizens Resources' 20<sup>th</sup> Senior Olympics, those who participated. The City of Brooklyn had many winners. In the beanbag toss, Glen Stroud and Martin Hyson, Joanne Neville. Miniature golf was Jerome Juris, Richard Sichau and Betty Walcher. For golf was William Ruprecht, Glen Stroud. Horseshoes, Glen Stroud and Sandy Kibort. Lawn toss, Glen Stroud. Darts, Joanne Neville, Richard Wilson, Helen Wilson. Triathlon, Glen Stroud, Sandy Kibort, Joanne Neville. Basketball throw, Dolores Hyson. Volleyball, Martin Hyson, Joanne Neville, Richard Wilson. And in lawn bowling, Glen Stroud. Best overall female was Joanne Neville from Brooklyn. So hats off to everyone who participated in that. I'd like to introduce the City of Brooklyn's new recreation manager at the rink. Her name is Sandra Balzer. A graduate of Bowling Green State University, Bachelor of Science in Education; also Stark State College of Technology; Ohio Department of Mental Retardation Development Disabilities; certifications in professional grade certification; current CPR and first aide certification; current notary public also. Her job history: From 85-88 she was deputy

project director, outdoor recreation specialist with the City of Cleveland Parks and Recreation Properties. Primary function was to coordinate outdoor education and recreation programs for Camp Forbes; involved in supervising counselors; program planning; writing staff's and camper manuals; and organizing format for registration of campers. From 88-1995 she was the recreation center manager, excuse me, City of Cleveland Parks, Recreation and Properties. Management responsible for the operation budget and maintenance at the recreation center, at staff, advisory boards, volunteers and program participants; coordinated and planning and implementation of leisure time activities for all ages. From 95-2002 she was community program specialist, Cuyahoga County Board of Mental Retardation and Developmental Disabilities. And for 2002 to the present day, she's job placement specialist, also with the Board of Mental Retardation and Developmental Disabilities. There's opinions out there, I respect opinions. People take a test for this job, it's a civil service test. I can go down to the person who finished number 10, and I could hire number 10. Yes, there are many fine, fine people, both male and female, who applied for these jobs. We are hiring one rink manager for the rest of this year. And I'm hiring Sandy Balzer, as I feel she is the best qualified candidate. Sandy, would you please? Welcome to the City of Brooklyn."

Sandy Balzer: "Thank you. May I say something?"

Mayor Patton: "Sure."

Ms. Balzer: "Hi, thank you. Really, I wanted to appreciate everybody's concerns about the residency rule and everything, but I want you know something. I have many years, over 20 years experience in recreation. Not to dispute what you said, Mr. Wohlgemuth. But I have managed a recreation center, Cudell Recreation Center, and I managed it for eight years. I've worked in recreation for over 20 years. I've been involved in the City of Brooklyn recreation program. Coach Stepic and I have coached against each other in the softball. I want to say that I really am honored to take this position, because I am following in some huge footsteps. Bob Kelber, Terry Thompson, Jim Coyne, and recently Al Sforzo. They have been the Recreation Department, plus all the part-timers and everything that runs the Division of Recreation here in the city. And all I'm asking you to do is get to know me. I want to work for you and with you. And I don't know all of the staff. I'm sure they're very qualified, they've been there for years. I want to work as a team. And I hope that you all give me a chance. And I just want to thank you all for the opportunity. Thank you."

Mayor Patton: "Thank you Sandy. I've also worked with Dave Coyle from ODOT over the past two weeks, and he gave me the name of Tom Sorche to look into the requests from, I want to say Zorn, was his name at the last meeting, asking about pollution on 480. He said he gets very few requests of that nature, but he is going to send me a few documents that he has from down in Columbus. So I will pass those onto Mr. Zorn as soon as I can. We've had some incidents lately, and parents have to be concerned, because... First off, we had a firecracker accident where a young lady lost some fingers. And with July 4<sup>th</sup> coming up we have to make sure we do a lot more enforcement than we ever have before. Start watching the kids. If they have a sparkler, even their clothes could catch on fire. What if they walk by the lawn mower and it has gas in it? So please, be concerned. Everybody thinks it can't happen here. But Mr. Kametz and I were talking before, and you know, he was going to that fireworks show in Independence a few years ago where a girl got killed. So yes, it can happen here. Second of all, children must buckle up. Four years or younger and 40 pounds or lighter, you have to have them buckled in your car. You can't take a short cut and not buckle your kids in the car. The accident this past weekend on 480, if a child would have been unbuckled, you probably would have never knew a child was in the car, they would have been thrown from the car so far. These are things we have to pay attention to. I'd like Council to pick a day with Chief Murphy and have a walk through the communications center. It did just become finalized this week, and we're looking to show it off a little bit. There was a power outage on Friday and the fountain pump went out again, so that's something you'll have to fix right away. And a very few words about nepotism. Nepotism is hiring your own daughter to an appointment. Running for an election is called democracy. People with beliefs, inspirations, values and idea need to run for office. You have to believe in yourself. You can do it. You can change your lifestyle if that's what it is. But the only problem is, people you consider your friends won't be your friends for too long, because you're doing what's right for the entire community, and you're working hard at it. And I will continue to do that. And I beat a young man in my last election, I only got 71% of the vote. I'm looking forward to continuing to work for Brooklyn, and I'll be working hard. That's all I have."

President Balbier: "Thank you Mayor. Next we'll have the directors' reports, and the first one is the Finance, and that's Mr. Gale Fisk."

**Director Fisk:** "The Tax Budget is on for third reading and approval this evening. The Tax Budget has had readings in May and June, and they total 6.9 mills that was approved last year is not being changed. The Mid-Year Review has been published, as Mrs. Pucci indicated. The Mayor believes that the city and the citizens of the City of Brooklyn should know what their financial situation is, and consequently we produced a Mid-Year Review, and formally indicate where we think we are at mid-year, as well as producing a CAFR and a PAFR to give an easily read and easily understood financial opinion on the city. The Local Government Funds, as of at least today, had not been passed by the Governor; but the belief is that this will be passed very shortly and that the Local Government Funds will not be cut in this biennium budget, and that they will at least be maintained at the freeze levels that they have been in the recent past. The Comprehensive Annual Financial Report is finished and being sent to the GFOA. The Popular Annual Financial Report is also finished and being sent to the GFOA. The State Auditors gave the city an unqualified opinion on its financial reports, which basically means our financial reports are accurately portrayed. Both the Comprehensive Annual Financial Report and the Popular Annual Financial Report will be available here at the reception desk at City Hall as of the opening of business Wednesday morning. Thank you Mr. Balbier, that's all I have."

President Balbier: "Thank you Mr. Fisk. Next is the Service Department, Mr. Kappler."

**Director Kappler:** "This evening I have no report."

President Balbier: "Thank you Mr. Kappler. Building Department, Mr. Ockington."

**Comm. Ockington:** "Thank you Mr. Balbier. The Building Department staff has been devoting most of our time to property and maintenance and high grass inspections this spring. If you're aware of any properties which are being neglected, please contact the Building Department at 216-635-4203 with the address of the property. That concludes my report."

President Balbier: "Thank you Mr. Ockington. Police Department, Chief Murphy."

**Chief Murphy:** "Just a short report, Mr. Balbier. Mr. Coyne asked for the number of seatbelt citations that were issued for the last six years, so I guess we'll just share them with everybody. I went back to 1997, and in that year there was 49; 1998, 116; 1999, 297; in the year 2000 there was 1369; in 2001, 1408; 2002, 1509; 2003, 1216; 2004, 755, quite a drop; and in 2005, that's this year, as of two weeks ago there were 383 issued. Whatever importance it is, I don't know, but now everybody has it. That's my report."

President Balbier: "Thank you Chief Murphy. Fire Department, Chief Duchoslav."

**Chief Duchoslav:** "Thank you. I just have one item I'd like to comment on, and it was an article in the Sun News two weeks ago, in the Sun Guard section about a broken hydrant. And what it does is it insinuates that that hydrant had been laying there for some time, that it badly needs to be repaired. Well I'd like to share with everyone what we do, and in particular what happens that day. The Police Department, and I have the police report, received a call from a nearby resident at 7:43 in the morning on Saturday that the hydrant had been knocked over overnight. After, and they called us immediately. At roll call at 8:00 that information was passed on. After our daily equipment check, which takes about 20 minutes to a half an hour, to run all our power tools, to make sure everything is where it belongs and is functioning, the shift commander took an engine to the garage for a refueling. After refueling he went by this address on Williamston and saw that the hydrant was laying over and it could possibly be re-used. He picked the hydrant up before 9:00 in the morning and took it down to the city garage. That was less than two hours, or right around an hour and 15 minutes. And yet there was a picture of it in the paper. I find that odd. That information was then passed on at roll call. We have a... We make contingencies, because hydrants get hit all the time. We have large diameter hose to compensate for a missing hydrant. We go to the next closest hydrant for a reliable water source. Paperwork is filled out. Monday it was taken over to the Service Department where it was turned in to the Service Department, who, when they compile a number of hydrants, and that's not unusual because there's a cheaper rate for repair when there is several to repair, they get repaired. But in the meantime, the information is passed along that the hydrant's missing on all three shifts; then it's posted on a board there, out of service. There's a board right there in our watch office, hydrants out of service, so we know if we get a call we can refer to that, because we'll have to catch another hydrant or further down the street. And when it



gets repaired we get notified and we check to make sure the threads are the proper threads and that it functions properly, and it's back in service. And I just take, not offense, but just that's the rest of the story, as to how it's handled. Thank you."

President Albier: "Thank you Chief. Law Department, Mr. Shaper."

**Director Shaper:** "I want to thank everyone on the Charter Commission, especially Richard Kistemaker. Everyone did a great job and put a lot of time into it, and received no compensation except that they did an excellent job for the city. And I appreciate that. Thank you. There were a lot of different opinions represented, and I think it was a model of how things should go. Tonight we have a Personnel Policy Manual for third reading. I've had several conversations with Councilperson Pucci, who has taken a very active interest, and has been extremely helpful on this matter. She has asked me about two points regarding cell phone usage and e-mail. And I can say this, they're difficult issues to deal with. I'm making a recommendation to Council, it's Council's choice, if we're not comfortable with the policies as drafted, let's leave them for another day. If you want to pass the Personnel Policy Manual without those... That Personnel Policy Manual is going to be something that will be updated forever. And when you're dealing with a matter of phone and e-mail, you will never get it right. You will never get it right because technology and law, technology moves so much faster than law; and it's easy to say, well, the concept will cover it, no matter what the technology is, but in practice, I had called the Attorney General today on a matter of public record dealing with technology, and he told me the exact same thing. Sometimes you have to do the best you can with what you have to work with. I do not have a problem personally with the policy as drafted; but that's again from a legal point of view. If people do have disagreements with certain things, I suggest it's close enough to vote in as is, and we can take certain sections out, come back at another point in time. But that is Council's decision. As far as the matter goes about this ordinance, which in my opinion is incorrectly labeled a nepotism ordinance, I don't think the ordinance deals with nepotism, first of all. Nepotism is giving a job or granting a job or having your subordinate grant a job to somebody in your family. The ordinance that's on the table does not cover that. That might be more opinion than legal opinion, and you're welcome to factor that out if you like. But I do want to say this. I have come before Council with a number of ordinances, where if I were on Council I don't know how I would have voted for them. For them or against them. Because Council makes different choices than I do. I have to decide what's down the road, is this legal, is this Constitutional, and how's it going to work? It's not my decision for, is this the policy that promotes this interest or not that interest? That's left to the voters who elected the Councilmembers. But I have an absolute duty when something's on the floor that I don't know what to do with, and I'm charged with a duty of enforcing it. And that's why I brought up these points in conversation. When I was given two minutes to evaluate the ordinance that was drafted and explained that I think there are problems here that if somebody's on the School Board they can't run for Council, that their parent can't run for Council, I was pretty much told that I was from Mars and that that's absolutely wrong and I don't know where that... And then tonight I find out it's been amended to deal with that point, but I was never told maybe that point was correct that I brought up; well I'm not stopping here, I'm going to say it again. I do not know what to do. And I will tell you this, I know it was drafted by the Law Director of Seven Hills, he didn't offer me much insight into what to do with a situation. He didn't return my phone calls, when I left a message that I was calling regarding that ordinance. And I know that in Broadview Hts. they don't have a situation where they are, for lack of a better term, grandfathering. That's a poor term when you're dealing with something that's alleged to be nepotism. But I want to be on record, I am submitting this to the Clerk of Council to draft. If instituted I'm at a loss for what to do with it."

Councilwoman Brown: "Thank you."

President Albier: "Thank you Mr. Shaper. Mr. Kappler do you have anything to add to the Rec Department report that I gave?"

**Director Kappler:** "I'd like to touch base on just a couple of things. First of all, that power outage on Friday, it caused numerous damages. We had to shut down the pool and also the ice rink for about approximately 24 hours. We did repairs. We call in Great Lakes to do repairs rink-side, and also K Company to make some repairs on the pool side, to get both operational again. Two areas that still need to be addressed is, one is the sauna, which will be worked on tomorrow morning and be finished, and next will be the fountain, which there may be some major concerns there. I will be putting a list together of the estimates and the pricing from the various companies, and possibly trying to collect off of, submitting it to

our insurance company. The next thing in Recreation Department, the next Summer Serenade concert will be July 24th at the grande pavilion, it starts at 6:30, and it'll be Eddie and the Edsels. And that completes the rec report."

President Albier: "Thank you Mr. Kappler. The Mayor has something he wants to say."

Mayor Patton: "Just to clarify. You need to be in a car seat if you're 40 pounds or less than four years old, okay, not just buckled up in the car. And older children do also need to be buckled up in the car. Thanks Kathy."

President Albier: "Thank you. We'll now move on. The first thing is Council's authorization for construction manager. And the Mayor has recommended RFC Construction. We talked about this at the Public Works Committee. Greg, do you have anything you want to add with this?"

Councilman G. Frey: "No. I urge the Council, and I think this is good legislation, I think we need to get going on this project, it's a very tight time line. Anything we can do to make sure that there are no stoppages or slow downs or anything else that's going to benefit us in the long run. I urge us to adopt this."

President Albier: "Thank you. Is there any other Councilperson wish to comment on this?"

Councilman J. Frey: "I move we approve it."

Councilwoman Pucci: "I move we approve a provisional contract with RFC Construction to be construction manager for the new fire station for \$165,000 plus 15% of any savings. And I believe Mr. Shaper wanted us to put the cap on. \$3.8 million is the cap. And then this will all be addressed in a more permanent fashion when the paperwork is finished."

Councilman Coyne: "Second."

President Albier: "Call for the vote Mr. Fisk."

Clerk Fisk: "To authorize the Mayor to enter into a contract with RFC Construction Company with the proviso of the money amount and a cap, Kathy Pucci."

"Rita Brown."

"Greg Frey."

"Tom Coyne."

"John Frey."

"Rich Albier."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilman G. Frey: "Yea."

Councilman Coyne: "Yea."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

President Albier: "The next item is to enter into an agreement with the Plumbers Local 55. Use their own agreement as shown in the rough draft that we have in front of us. And also, number two is the Elevator Construction Local 17. Mr. Shaper tells us there is no elevator in the proposed fire station, but the Cleveland Building and Construction Trades Council encourages the city to enter into a similar agreement for the sake of consistency. I need a motion for Mr. Shaper to enter into an agreement with these two unions."

Councilman Coyne: "So move."

Councilwoman Pucci: "Move to approve, and as Mr. Shaper stated in our Finance Committee meeting, that it's going to be based on similar to our other current project labor agreements. There was a clause in the Elevator Constructors that we're not going to adhere to at this point, and that was stating that their standard agreement supersedes any project agreement. And if there is a substantial change to the model agreements that we already have with the other trades, Mr. Shaper will advise us as such and come back to us."

President Albier: "Call for the vote Mr. Fisk."

Councilwoman Pucci: "I think we might need a second."

Mayor Patton: "Yes."

Councilwoman Pucci: "We need a second."

President Albier: "We had a second I thought."

Councilman Coyne: "No, I moved to approve. So we had two approvals."

President Albier: "Okay, I'll second it."

Clerk Fisk: "To approve the entering into a trade agreement with the Plumbers Union #55 and the Elevator Operators Union #17, Kathy Pucci."

"Rita Brown."

"Greg Frey."

"Tom Coyne."

"John Frey."

"Rich Albier."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilman G. Frey: "Yea."

Councilman Coyne: "Yea."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

President Albier: "And the third item is from the Brooklyn Animal Shelter, it was presented to us by Mrs. Shirley Palumbo. She is requesting, she says, 'I am formally requesting a waiver of the ordinance that states no dogs are allowed in Veterans Memorial Park for one day only...' as they will be having a dog walk on Sunday, October 2<sup>nd</sup>."

Councilwoman Brown: "Move to approve."

Councilman Coyne: "Second."

Clerk Fisk: "To approve a waiver request for use of Veterans Memorial Park, Kathy Pucci."

"Rita Brown."

"Greg Frey."

"Tom Coyne."

"John Frey."

"Rich Albier."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilman G. Frey: "Yea."

Councilman Coyne: "Yea."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

President Albier: "This is a statement of no objection for the Mexican Grill at 10325 Cascade Crossings, Brooklyn, Ohio."

Councilwoman Brown: "No objection."

Councilman Coyne: "Second."

Councilwoman Pucci: "Second."

Clerk Fisk: "To approve a statement of no objection for Chipotle for a license, Kathy Pucci."

"Rita Brown."

"Greg Frey."

"Tom Coyne."

"John Frey."

"Rich Albier."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilman G. Frey: "Yea."

Councilman Coyne: "Yea."

Councilman J. Frey: "Yea."

Councilman Albier: "Yea."

President Albier: "Next we have audience remarks pertaining to legislation on the agenda. If there's anyone that wishes to address anything on the agenda, come forward please."

Tom Adamski: "Tom Adamski, 9625 Melody Lane. Mr. Albier, I have several procedural questions regarding Ordinance 2005-29. The agenda doesn't say it's the first reading, and since this is the last public reading, does the third reading require, and if so, what is the deadline for this ordinance to pass and be submitted to the Board of Elections?"

President Albier: "We're probably going to waive it and vote on it as an emergency tonight, so it will probably pass tonight. But if it didn't, it would take three readings, and I doubt if it would make it by November."

Mr. Adamski: "My question, though is, if it needs a third reading, alright, I somewhat recall that there has to be 70 days prior to the election date to get on the ballots, which make is somewhere around August 15<sup>th</sup> or so. That's my question."

President Albier: "I think it was August 20-something. We could get three in if we held them one week apart. Hopefully we'll get it passed tonight."

Mr. Adamski: "Thank you."

President Albier: "Does anyone else care to comment on the agenda? The first one is **RESOLUTION 2005-7**, the third reading, Adopting the Tax Budget for fiscal year 2006. We had the first reading on May 23<sup>rd</sup>, last meeting on the 13<sup>th</sup> where we had the meeting and the public hearing, so we've complied with all the legal requirements, and tonight will be the third reading."

Councilman J. Frey: "Move we approve."

Councilman Coyne: "Second."

Clerk Fisk: "To adopt Resolution 2005-7, Kathy Pucci."  
"Rita Brown."  
"Greg Frey."  
"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Brown: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Coyne: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "Next is **RESOLUTION 2005-10**. Authorizing the Chief of the Brooklyn Police Department to apply to the Drug Abuse Resistance Education, DARE, Law Enforcement Grants Program for funds to be used for salaries of certified DARE officers teaching or planning to teach the approved DARE curriculum in local schools, and declaring an emergency."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilwoman Brown: "Second."

Councilman Coyne: "Question. Mayor, are you going to find out from Wal-Mart, or Sam's, I'm sorry, on that table that was set up promoting this DARE money and..."

Councilwoman Pucci: "I don't think the Mayor was in the meeting when we discussed it, I think Gale said..."

Clerk Fisk: "Yes, I will check on that."

Councilwoman Pucci: "...he's going to check into that and let us know."

Councilman Coyne: "Okay, thank you."

Clerk Fisk: "To suspend the rules on Ordinance 2005-10, or no, excuse me, Resolution 2005-10, Kathy Pucci."

"Rita Brown."  
"Greg Frey."  
"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Brown: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Coyne: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."



Clerk Fisk: "To adopt, Kathy Pucci."  
"Rita Brown."  
"Greg Frey."  
"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Brown: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Coyne: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "Next is **ORDINANCE 2005-6**. This is the third reading. To approve and adopt a Personnel Policy Manual of the City of Brooklyn. Do I have any comments?"

Councilwoman Pucci: "May I be recognized?"

President Albier: "Yes Mrs. Pucci."

Councilwoman Pucci: "Mr. Shaper, thanks for all your work on this. I think, as far as my question on the cell phones, that we're clarifying that the minutes, the cell phone minutes, belong to the city, and it's not supposed to be for personal use, I do think that's what it says in here. Regarding the e-mail, that was clarified earlier. My concern is probably more of an administrative concern as far as that there's going to be someone who is going to preserve and protect the e-mails and that are considered public record. So I don't have a problem with how they're written in here. I think after re-reading those sections, personally I'm satisfied with those. I'm assuming that everybody else got a change to read the response from Mr. Esposito. I know Greg you had some concerns about the reporting the moving violations. I'm not sure if all your concerns are addressed in this. And then also I think just everybody needs to be aware of the ramifications of the restriction of the employees from participating in; I'm trying to think of the right way to put this, certain types of election activity. Is that a good way to put it?"

Director Shaper: "That's a fair way, yes."

Councilwoman Pucci: "Okay. So I just want to make sure everybody has a clear understanding of what is in here."

President Albier: "And like Mr. Shaper said, we'll probably keep going back and revising this over time."

Director Shaper: "I do want to say about the e-mails. Not every e-mail, to my understanding, is public record."

Councilwoman Pucci: "Right, I understand that."

Director Shaper: "I say to you, we're having a 12:30 meet at the conference room for discussion on A, B and C, that is pretty much like a telephone conversation, we're setting that up. On the other hand, if I send you and say that in the landfill I have found X, Y and Z, etc, that to me is a document. That should be printed out and preserved in a file. And the directors have been told by the Mayor that this is our policy, correct Mayor?"

Mayor Patton: "Correct."

Director Shaper: "And in terms of the cell phone, the cell phone, it's my understanding, we have talked to the Auditor about the minutes. It's an easy thing to say absolutely nobody make a call on your cell phone. The problem is, there are times that there is not a definite distinction between what is city work, when you're held over at work and you're now going to tell somebody I cannot meet you for A, B and C, is it work related? I think it arguably is definitely work related. Your work has caused you to be there. The Auditor, to my understanding, have no problem with using the minutes as long as the city's not billed for them, and that the city's not entering into some incentive plan to reward its employees in an unfair way where the taxpayers are suffering. We are constantly reviewing the cell phone usage. And all usage of any equipment, it's understood by the City Hall employees that those tools belong to the city. The copy machine is for city business. That is the code that we are taught, that we subscribe to, in taking the jobs. I told Council at the very beginning, the Personnel Policy Manual, you are dealing with human behavior that is subject to a lot of different things. It has to be a flexible document. And even when you have it down, there has to be some fair

degree of give and take. It has to be done on an equal basis. But it's very hard to just say, the line's here, and that's the way it is. It's easy to say that, it's very hard to live by that."

President Albier: "Thank you Mr. Shaper."

Councilwoman Pucci: "May I say just one more thing?"

President Albier: "Yes Mrs. Pucci."

Councilwoman Pucci: "I know that we had discussions early on about giving each employee a copy, or not giving them a copy, of this manual. And I'd like to hear what everybody else thinks; but I think that if we're asking the employees to adhere to this, and it's a lot, I think that we should be obligated to give them their own copy. I know we had some discussions about, well, they would always be available when they were at work, to look at them. I really don't think this is fair. I realize that it's probably going to be expensive to copy them, but I do think our employees are entitled to their own copy. And the ability to read it when they're at home. You know, someone could be off on sick leave or injury leave, and perhaps they want to look something up. I am interested in what everyone else here thinks about that."

Director Shaper: "Can I just ask..."

Councilwoman Pucci: "Yes."

Director Shaper: "If we're able to do that on the web, does that address it? The only reason I ask is, all of us have to live by the Ohio Revised Code. You can't go out and do A, B and C, and you're looking at 50 volumes there, but we don't make everybody in this world sign for the O.R.C. I mean, we all live by the rules of many laws. It could be done, but it's going to be expensive. And the system that we had is, everyone's going to be charged with reading it and signing for the fact that they have read it, and that it will be posted, as I understand it. To do it in the hardback copy, I'll just say this, when we change a policy relating to the cell phone, you're looking at changing how many books Gale, 150?"

Clerk Fisk: "135."

Director Shaper: "135. When we've done this with, say our Codified Ordinances, we're running into the changes of \$5,000 for year to change 15 books. And let me say that so to make it fair. The majority of that change is to actually institute the change, it's not the copy costs."

Councilwoman Pucci: "Right."

Director Shaper: "So I do want to clarify that. But that's your choice, not mine."

Councilwoman Pucci: "Well the other thing, but if something is changed we're not going to reproduce the entire book, I believe."

Director Shaper: "Okay, this is your call, I'm just..."

Councilwoman Pucci: "This is my opinion. I think it's a lot. I think it is going to govern each employee's activities and the rules and regulations. I just think it's fair that they, you know, have an opportunity to have their own copy. Just like when they have a union agreement, the unions provide a copy of the bargaining agreement for each employee. And I'm certainly interested to hear what everyone else thinks about this."

President Albier: "I think we should look into see what it's going to cost. It doesn't have to be a hardbound copy."

Councilwoman Pucci: "Oh, not hardbound, no."

Mrs. Thompson: "Kathy, we could make copies on CDs, and those that don't have computers at home and would prefer it to be a hard copy, it would be less amount of hard copies. Then we could offer them both

ways. And CDs, and a lot of times you can get them for free. You buy them from Office Max, get a rebate, and..."

Councilwoman Pucci: "Well I just want to make sure that the employees have the opportunity to have this information."

Mrs. Thompson: "I agree."

President Albier: "Does anyone else? Mr. Coyne."

Councilman Coyne: "Yeah, I think what Donna proposed is an equitable solution, because anybody could take a CD, and like you said, it's almost free. And those that can't, or don't have access to using it, we can get them hard copies."

President Albier: "Anyone else?"

Councilman J. Frey: "Yes. I think this is a big to do about not a lot, and it's just to say everybody is governed to the tiniest little bit of infraction. And who's going to be the police checking on whether these guys step out of line? I don't really approve of bringing this right down to a big manual, here's how you've got to act. We haven't had it, and I don't know that we need something this complex, especially when it's going to cost a lot of money. And who's going to read it? You think the employees are going... How big is that book? Hold the book up again. That's our rules and regulations. That's awful big. I think it's a waste."

Councilwoman Brown: "Mr. Albier."

Councilman J. Frey: "My own humble opinion."

President Albier: "Thank you Mr. Frey."

Councilwoman Brown: "Mr. Albier."

President Albier: "Mrs. Brown."

Councilwoman Brown: "Why don't we ask some of the employees, do you really want one of these, and see what we get from the employees."

President Albier: "Okay, I think the Mayor's office is going to look into that. They can ask them. This had the first reading back in February, the second reading in April, then it was tabled on May 9<sup>th</sup>. So I need a motion to take it from the table."

Councilwoman Pucci: "Mr. Albier, did you say that the Mayor's office is looking into asking the employees whether they want copies of this?"

President Albier: "They were going to look into that."

Councilwoman Pucci: "No, she said whether they want the policy or not. Mr. Frey..."

President Albier: "Oh, I misunderstood you."

Councilwoman Brown: "If they want a copy."

President Albier: "A copy she said."

Councilwoman Pucci: "Oh, okay."

Councilwoman Brown: "A copy."

Councilwoman Pucci: "I'm sorry, I misunderstood."

President Albier: "Well that's what they're going to look into Rita, to see if they want a copy or what. Okay, I need a motion to take it from the table."

Councilman G. Frey: "I move we take it from the table."

Councilwoman Pucci: "Second."

Councilman Coyne: "Second."

Clerk Fisk: "To remove Ordinance 2005-6 from the table and place it on the agenda, Kathy Pucci."

"Rita Brown."  
"Greg Frey."  
"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Brown: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Coyne: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

Councilman G. Frey: "And I'll move we adopt."

Councilman Coyne: "Second."

Clerk Fisk: "To adopt Ordinance 2005-6, Kathy Pucci."

"Rita Brown."  
"Greg Frey."  
"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Brown: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Coyne: "Yea."  
Councilman J. Frey: "No."  
Councilman Albier: "Yea."

President Albier: "The next is **ORDINANCE 2005-29**. An Ordinance providing for the submission to the electorate of amendments to the municipal Charter. And I also would like to thank, on behalf of the Council, everybody that served on the Charter Review Commission. They gave up a lot of time over the last six months, and this is their finished document that we're going to discuss tonight. I'd like to thank them all. There are four things they want to change in the Charter and have it on the ballot in November. The first one is Article XI, Section 4, Use of Gender. Whenever in this Charter the male gender is used it is hereby understood that it shall include the female gender. Does anybody have an objection to that?"

Councilwoman Brown: "No objection."

President Albier: "I think we'll vote on each one to approve them. We'll go through the whole thing. I think we'll go through the whole thing. The next one is Article V, Section 4, the Director of Service. In this one the Service Director wasn't in the Charter, he has to be appointed, and this makes it so that he's appointed by the Mayor and has to be confirmed by Council. And then they have to move down to Article IV, Section 5, the Executive Powers of the Mayor. And the only reason they bring that in there is because they have to put in the word 'Director of Service.' So in otherwords, this change they're recommending the Service Director has to be appointed by the Mayor and approved by Council, and that's not the way it is now, so this would change it to the Charter so it words to that effect. Does anybody have a question about that, or a comment?"

Director Shaper: "That is the way it's done now, correct?"

President Albier: "Pardon?"

Director Shaper: "That is the way it's done now."

Clerk Fisk: "It's just not the way the Charter reads."



President Albier: "It's not the way the Charter reads, yes, this is going to change that. The third one is the Director of Finance, and they're going to put in there, 'The Director of Finance or his appointee shall act as the Clerk of Council, as secretary to the Planning Commission, as secretary to the Civil Service Commission.' And the purpose behind this, as I understand it is that, right now in our Charter it says that the Finance Director has to also be the Clerk of Courts, Clerk of Council, I'm sorry, and by changing this he can have his appointee be up here. Mr. Fisk will still be here because he's the Finance officer, so he'll still be at the meetings; but this gives him the power to put the assistant at another meeting to be the Clerk. Does anybody have a comment about that?"

Councilwoman Pucci: "I do, may I be recognized?"

President Albier: "Yes Mrs. Pucci."

Councilwoman Pucci: "I disagree with this, because if people will recall, this goes back to the days when the Finance Director was a part-time job, and the Finance Director also served in these other capacities as Clerk of Council, secretary to the Planning Commission, secretary to the Civil Service Commission. We did make the Finance Director a full-time job, which is as it should be now. And I do believe that the Clerk of Council should be a separate position. All this does is give authority from the Charter that Mr. Fisk, or whoever is in that position, anybody really, can send a substitute in for those positions. And I believe that the Council should be able to hire their own Clerk, which I know is not addressed in this; but I disagree with the way this is being presented. Thank you Mr. Albier."

President Albier: "Thank you Mrs. Pucci."

Councilwoman Brown: "Mr. Albier, may I be recognized?"

President Albier: "Yes Mrs. Brown."

Councilwoman Brown: "I agree with Mrs. Pucci, but I also agree with the Charter Commission, put it on the ballot and let the people choose."

President Albier: "Okay, the fourth one, I believe it was rewritten just for clarification. And it states, 'An amendment to the Charter may be submitted to the electors by either of the two following methods: A. The Council may, by affirmative vote of at least 2/3 of its members, submit any proposed amendment to this Charter to the electors. Section B. The Council shall submit any proposed amendment to the electors upon receipt of a petition signed by not less than 10% of the qualified electors of the city setting forth any proposed amendment to the Charter.' And I believe that's it, four changes they were making."

Councilwoman Brown: "Introduced by all, suspend the rules."

Councilwoman Pucci: "Second. And may I be recognized Mr. Albier?"

President Albier: "Yes Mrs. Pucci."

Councilwoman Pucci: "I just also wanted to thank the members of the Charter Review Commission. I know that they put in a lot of hours, a lot of effort. I know they took their job seriously. My appointee was Mrs. June Holop, and she has my personal thanks. And also I'd like to thank the Charter Review Commission also for when I did attend one of their meetings. They listened to me, I felt, with an open mind. As I stated before, I was the person that suggested including the position of Director of Public Service so that we're consistent. I also asked them to look at the Council appointing their own Clerk, which in their wisdom they chose not to. But I would like to thank them for listening to me with an open mind."

President Albier: "Thank you."

Clerk Fisk: "To suspend the rules on Ordinance 2005-29, Kathy Pucci."

"Rita Brown."  
"Greg Frey."

Councilwoman Pucci: "Yea."  
Councilwoman Brown: "Yea."  
Councilman G. Frey: "Yea."

"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilman Coyne: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

Clerk Fisk: "To adopt Ordinance 2005-29, Kathy Pucci."  
"Rita Brown."  
"Greg Frey."  
"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Brown: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Coyne: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "And the final Ordinance is **2005-30**. An Ordinance to approve current replacement pages to the Brooklyn Codified Ordinances and declaring an emergency. Mr. Shaper, do you have any comment on this?"

Director Shaper: "Please pass this or your brother's going to kill me."

President Albier: "Okay, I hope it passes. A motion."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilwoman Brown: "Second."

Councilman Coyne: "Second."

Clerk Fisk: "To suspend the rules on Ordinance 2005-30, Kathy Pucci."

"Rita Brown."  
"Greg Frey."  
"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Brown: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Coyne: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "To adopt, Kathy Pucci."  
"Rita Brown."  
"Greg Frey."  
"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Brown: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Coyne: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "Now as we stated, this is the last regular scheduled Council meeting, but as you see, we're going to have plenty of special ones. So the next special one will be on the 11<sup>th</sup> at 7:00."

Councilwoman Brown: "Mr. Albier, may I be recognized?"

President Albier: "Yes Mrs. Brown."

Councilwoman Brown: "Okay, thank you."

Councilman G. Frey: "Mr. Albier, I can't be there on the 11<sup>th</sup>. The 11<sup>th</sup> and the 18<sup>th</sup> I'm not available in the evening."

Councilwoman Brown: "Well we can work with it."

President Albier: "Alright, we'll work that out."

Councilwoman Brown: "Okay. Chief Murphy, could I possibly have the number of citations for cell phone violations, similar to your seatbelt citations?"

Chief Murphy: "Sure."

Councilwoman Brown: "Thank you."

Chief Murphy: "You're welcome."

Councilwoman Pucci: "Mr. Albier... Whenever we do schedule our special meeting, it would probably be a good time, maybe the first item on the agenda could be the presentation by the animal shelter."

President Albier: "Yes."

Councilwoman Pucci: "Maybe we could get everything done at the one meeting."

President Albier: "Right, I was going to talk with Mrs. Palumbo after the meeting."

Councilwoman Pucci: "Okay."

President Albier: "Alright. Disregard that 11<sup>th</sup>. We're going to work on it and come up with a date and it'll be published in the paper."

Councilman J. Frey: "I move we adjourn."

Councilman Coyne: "Mr. Albier."

President Albier: "Yes Mr. Coyne."

Councilman Coyne: "Mayor, on that Ed Zorn pollution report, would you make sure copies get to all the Council?"

Mayor Patton: "As soon as I get it, yes."

Councilman Coyne: "Thank you."

President Albier: "I need a second for the motion to adjourn."

Councilwoman Pucci: "Second."

Clerk Fisk: "To adjourn, Kathy Pucci."  
"Rita Brown."  
"Greg Frey."  
"Tom Coyne."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Brown: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Coyne: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

Meeting adjourned.

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Clerk of Council

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M A Y O R